

MEMORANDUM

April 8, 1971

TO: BOSTON REDEVELOPMENT AUTHORITY  
FROM: Robert T. Kenney, Director  
SUBJECT: BOARD OF APPEAL REFERRALS

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Petition No. Z-2129  
New England Telephone & Telegraph  
570 East Fourth Street, South Boston

Petitioner seeks a variance to erect a one story and basement addition to an automatic telephone exchange building in a local business (L-1) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 18-4. Front yard is insufficient.	10 feet	5 feet

The property, located on East Fourth Street at the intersection of H Street, contains a one story masonry structure. The petitioner proposes to erect a one story and basement 40 x 79 foot masonry addition to the existing automatic dial office exchange structure. The proposed building would house additional telephone exchange equipment. The staff recommends that the proposed off street parking be located at the rear property line and that suitable landscaping be provided to screen the parking from the residential properties on East Fourth Street. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2129, brought by New England Telephone & Telegraph Company, 570 East Fourth Street, South Boston, for a variance to erect a one story and basement addition to an automatic telephone exchange building in a local business (L-1) district, the Boston Redevelopment Authority recommends approval with the provisos that the proposed off street parking be located at the rear property line and that suitable landscaping be provided to screen the parking from the residential properties on East Fourth Street.



The map shows a grid of streets with various buildings and lots. Key features include:

- Streets:** BROADWAY, FOURTH STREET PL, EAST 370 EAST FOURTH ST (S. B.).
- Buildings:** SOUTH BOSTON MUNICIPAL BUILDING, ST. GEORGE ALBANIAN ORTHODOX CATHEDRAL, NEW ENGLAND TELEPHONE COMPANY.
- Lots and Numbers:** 18,304, 3005, 3017, 27,463, 12,000, 25,815, 14,700, 4900, 5600, 5440, 2560, 4290, 1870, 3145, 2687, 2244, 548, 548, 552, 554, 549, 545, 2395, 2355, 2375, 2375, 2375, 1418, 535, 537, 539, 541, 543, 2290, 2200, 2100, 2100, 2562, 2937, 2000, 1125, 1125, 2250, 2250, 2340, 2150, 1969, 1831, 1848, 2054, 1804, 1957, 1979, 2254, 2348, 2351, 2347, 347, 344, 10,261, 6075, 2406, 2439, 2009, 1924, 1665, 2001, 2020, 2023, 2306, 2245, 2035 97, 2035 101, 95, 99, 103, 105, 107, 111.

[illegible]



Board of Appeal Referral 4/8/71

Petition No. Z-2128  
Living & Learning Centers, Inc.  
(Proposed Purchaser)  
1000 V.F.W. Parkway, West Roxbury

Petitioner seeks a conditional use permit and a variance to erect a two story day nursery structure in a single family (S-.5) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A day nursery is conditional in an S-.5 district.		
Section 20-1. Rear yard is insufficient.	50 feet	24 feet

The property, located on V.F.W. Parkway, between Baker and Farragut Streets, contains 30,350 square feet of vacant land. The proposed day care facility and office would accommodate approximately 76 persons. The petitioner proposes to provide full day nursery and kindergarten programs. The proposal is reasonable, would enhance the area and would be compatible with adjacent institutional uses. The staff recommends that no cuts be allowed in the median strip. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2128, brought by Living & Learning Centers, Inc., (Proposed Purchaser), 1000 V.F.W. Parkway, West Roxbury, for a conditional use permit and a variance to erect a two story day nursery structure in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval with the proviso that no cuts be allowed in the median strip. The proposal is reasonable, would enhance the area and would be compatible with adjacent institutional uses.



1,057,700

1000 V.F.W. PARKWAY  
(W.R.)

WARS

FOREIGN

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VETERANS

FARRAGUT

ELLSWOOD

68,010

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Board of Appeal Referral 4/8/71

Petition No. Z-2130  
Laurence Associates  
400 Columbus Avenue, Boston

Petitioner seeks a forbidden use permit and a change in a non-conforming use for a change of occupancy from a three family dwelling and two stores, to advertising offices in an apartment (H-2) district. The proposal would violate the code as follows:

Section 8-7. Offices are forbidden in an H-2 district.

Section 9-2. A change in a non conforming use requires a Board of Appeal hearing.

The property, located on Columbus Avenue at the intersection of West Canton Street in the South End Urban Renewal Area, contains a four story masonry structure. The proposed advertising office use would be contrary to the South End Urban Renewal Plan residential objectives for the area. The much needed dwelling units should be maintained. The staff would be amenable to the elimination of the existing commercial uses and a conversion from three to five dwelling units.

VOTED: That in connection with Petition No. Z-2130, brought by Laurence Associates, 400 Columbus Avenue, in the South End Urban Renewal Area, for a forbidden use permit and a change in a non-conforming use for a change of occupancy from a three family dwelling and two stores to advertising offices in an apartment (H-2) district, the Boston Redevelopment Authority recommends denial. The proposed advertising office use would be contrary to the South End Urban Renewal Plan residential objectives for the area. The much needed dwelling units should be maintained. The Authority would be amenable to the elimination of the existing commercial uses and a conversion from three to five dwelling units.





Z-2130  
400 COLUMBUS AVE.  
(B.R.)

(28)



Board of Appeal Referral 4/8/71

Petition No. Z-2131  
Hathaway Realty Company  
475 Commonwealth Avenue, Boston

Petitioner seeks a change in a non conforming use and a conditional use permit for a change of occupancy from doctors' offices, stores and apartment to doctors' offices, stores, apartment and day care center in an apartment (H-4) district. The proposal would violate the code as follows:

Section 8-7. A day care center is a conditional use in an H-4 district.

Section 9-2. A change in a non-conforming use requires a Board of Appeal hearing.

The property, located on Commonwealth Avenue near the intersection of Charlesgate West, contains a seven story office and commercial structure. The petitioner proposes to rent the second floor of the building for use as a day care center. The proposed facility would benefit employees in the local commercial area and the residents of the adjacent residential neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-2131, brought by Hathaway Realty Company, 475 Commonwealth Avenue, Boston, for a change in a non conforming use and a conditional use permit for a change of occupancy from doctors' offices, stores and apartment to doctors' offices, stores, apartment and day care center in an apartment (H-4) district, the Boston Redevelopment Authority recommends approval. The proposed facility would benefit employees in the local commercial area and the residents of the adjacent residential community.

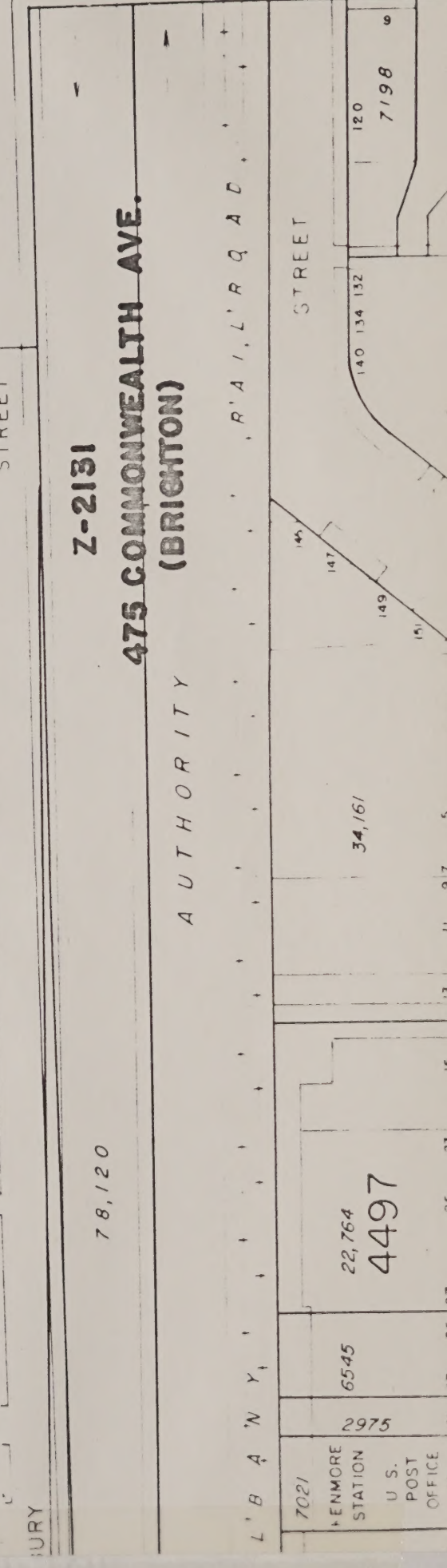
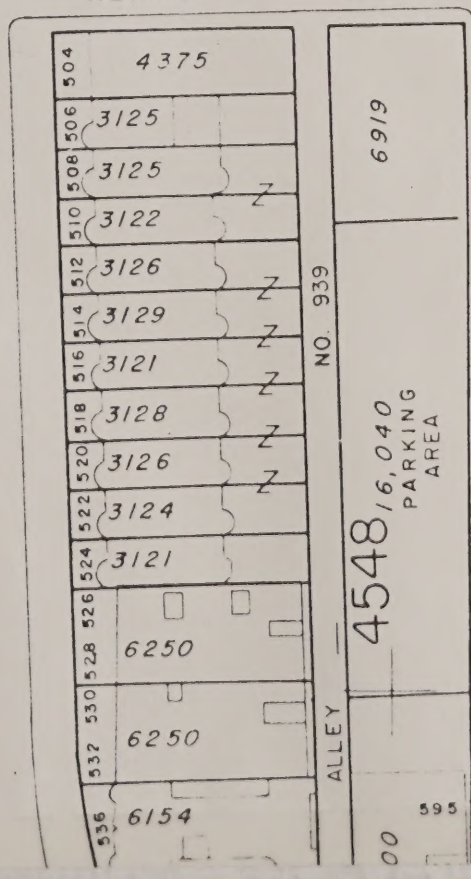
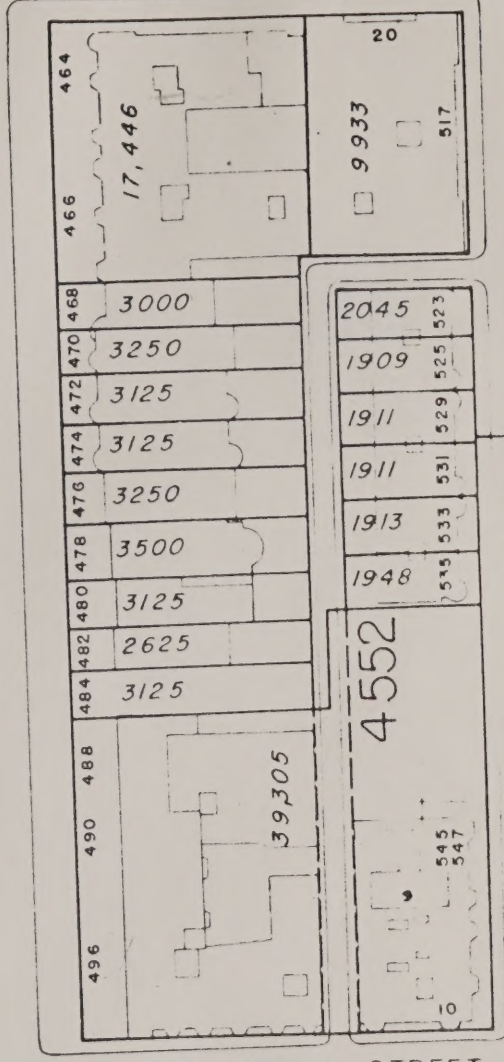
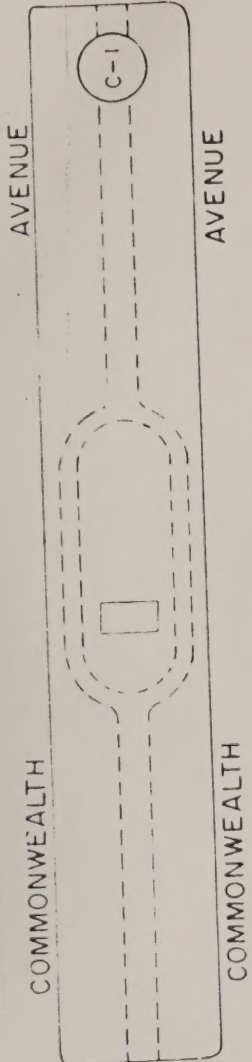
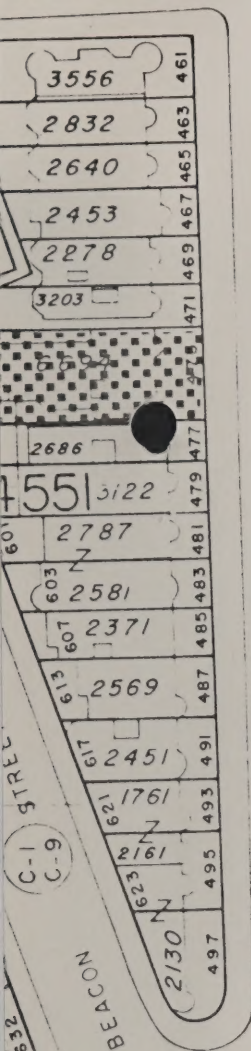


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CHARLES GATE

WEST





Board of Appeal Referral 4/8/71

Petition No. Z-2132  
Moritz Bergmeyer  
108-110 Fulton Street, Boston

Petitioner seeks a conditional use permit to legalize an existing occupancy for four families in a light manufacturing (M-2) district. The proposal would violate the code as follows:

Section 8-7. A four family dwelling is conditional in an M-2 district.

The property, located on Fulton Street near the intersection of Richmond Street, contains a four story masonry structure. The four family occupancy has existed for the last two years. The property has been rehabilitated and the neighborhood improved. There is an urgent need for dwelling units in the area. Recommend approval.

VOTED: That in connection with Petition No. Z-2132, brought by Moritz Bergmeyer, 108-110 Fulton Street, Boston, for a conditional use permit to legalize an existing occupancy for four families in a light manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval. The four family occupancy has existed for the past two years. The property has been rehabilitated and the neighborhood improved. There is an urgent need for dwelling units in the area.





Z-2132

108-110 FULTON ST. (B.P.)



Board of Appeal Referral 4/8/71

Petition No. Z-2133  
Vaughan's Inc.  
934 Dorchester Avenue, Dorchester

Petitioner seeks a variance to erect a one story addition to a tavern in a local business (L-1) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 20-1. Rear yard is not provided.	20 feet	0

The property, located on Dorchester Avenue near the intersection of Crescent Street, contains a two story frame structure. The proposed one story addition would be utilized for storage. There would be no adverse affects on abutting properties. Recommend approval.

VOTED: That in connection with Petition No. Z-2133, brought by Vaughan's, Inc., 934 Dorchester Avenue, Dorchester, for a variance to erect a one-story addition to a tavern in a local business (L-1) district, the Boston Redevelopment Authority recommends approval. The proposed storage addition would not have an adverse affect on abutting properties.







Board of Appeal Referral 4/8/71

Petition No. Z-2138  
Harrison N. & Francis K. Fitzpatrick  
42 Sharp Street, Dorchester

Petitioner seeks a forbidden use permit and a conditional use permit for a change of occupancy from storage to an auto body paint shop and auto sales in a local business (L-.5) district. The proposal would violate the code as follows:

Section 8-7. The sale of automobiles within a structure is forbidden in an L-.5 district.

Section 8-7. An auto body paint shop is conditional in an L-.5 district.

The property, located on Sharp Street near the intersection of Allston Street, contains a one story masonry structure. The site abuts a two and three family residential district. The auto body paint shop has existed for many years. The petitioner proposes to utilize a small portion of the existing structure for the sale and exchange of six used cars. The staff recommends a) that the property be adequately screened from adjacent residential properties, b) that the petitioner landscape the property consistent with the surrounding neighborhood.

VOTED: That in connection with Petition No. Z-2138, brought by Harrison N. & Francis X. Fitzpatrick, 42 Sharp Street, Dorchester, for a forbidden use permit and a conditional use permit for a change of occupancy from storage to an auto body paint shop and auto sales in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval with the provisos that a) the property be adequately screened from adjacent residential properties, b) that the petitioner landscape the property consistent with the surrounding neighborhood.





Z-2138  
42 SHARP ST.  
(DOR.)



Petition No. Z-2141  
The Carmelite Sisters for the Aged &  
Infirm, Inc.  
40 Old Harbor Street, South Boston

Petitioner seeks three variances to erect a seven story addition to an existing nursing home in an apartment (H-1) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 14-2. Lot area for additional unit is insufficient.	1000 sf/du	211 sf/du
Section 15-1. Floor area is excessive.	1.2	1.8
Section 23-7. Off street parking is insufficient.	95 spaces	30 spaces

The property, located on Old Harbor Street at the intersection of Thomas Park, contains a five story nursing home. The petitioner proposes to erect a seven story fireproofed steel, concrete and masonry extension to the existing structure. The proposed extension would be 222 feet long, 50 feet wide and would accommodate 120 beds. The existing facility has accommodations for 246 beds. The off-street parking violation would be mitigated by the fact that a majority of the employees either walk or utilize nearby public transportation. The proposed extension would be a reasonable use of land and would enable the elderly of the community to live in their own environment. Recommend approval.

VOTED: That in connection with Petition No. Z-2141, brought by The Carmelite Sisters for the Aged & Infirm, Inc., 40 Old Harbor Street, South Boston, for three variances to erect a seven story addition to a nursing home in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. The proposed extension would be a reasonable use of land and would be beneficial to the elderly of the community. The off street parking violation would be mitigated by the fact that a majority of employees either walk or utilize nearby public transportation.





**Z-2141**  
**40 OLD HARBOR ST**  
**(S.B.)**



